



IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

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AMAZON.COM, INC. AND AMAZON DATA  
SERVICES, INC.,

*Plaintiff,*

Civil Action No. 1:20-cv-00484-LO-  
TCB

v.

WDC HOLDINGS LLC DBA NORTHSTAR  
COMERCIAL PARTNERS; BRIAN  
WATSON; STERLING NCP FF, LLC;  
MANASSAS NCP FF, LLC; NSIPI  
ADMINISTRATIVE MANAGER; NOVA  
WPC LLC; WHITE PEAKS CAPITAL LLC;  
VILLANOVA TRUST; CARLETON NELSON;  
CASEY KRISCHNER; ALLCORE  
DEVELOPMENT LLC; FINBRIT HOLDINGS  
LLC; CHESHIRE VENTURES LLC; JOHN  
DOES 1-20,

*Defendant.*

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**DEFENDANT CASEY KIRSCHNER'S ANSWER AND AFFIRMATIVE DEFENSES  
TO PLAINTIFFS' THIRD AMENDED COMPLAINT**

Defendant Casey Kirschner, hereby files their Answer and Affirmative Defenses to Plaintiffs' Third Amended Complaint (the "Complaint"), and state as follows.

### **PRELIMINARY STATEMENT**

1. Denied
2. Defendant lacks knowledge or information sufficient to confirm or deny Plaintiffs' allegations concerning Amazon's alleged investigation and therefore deny the same. Defendants deny the remaining allegations in Paragraph 2 of the Complaint.
3. Denied
4. Defendant denies Plaintiffs' definitions, "RICO Defendants," "RICO Enterprise," "Lease Transaction," "Lease Transaction Enterprise," "Direct Purchases," and "Direct Purchase Enterprise," to the extent the definitions imply that Defendant participated in a racketeering or kickback scheme. Defendant denies the remaining allegations in Paragraph 4 of the Complaint.
5. Denied.
6. Denied.
7. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

### **PARTIES**

8. Admitted
9. Admitted

10. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

11. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

12. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

13. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

14. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

15. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 20 of the Complaint and therefore deny the same.

16. Admitted.

17. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

18. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

19. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

20. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

21. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

22. Denied

23. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

24. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

25. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

26. Denied.

27. Defendant admits Casey Kirschner was terminated in April 2020.

28. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

29. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

30. Defendants lack knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

31. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

32. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

33. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

34. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

35. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

36. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

37. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

38. Denied

39. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

40. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

41. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

42. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

43. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

44. Denied.

45. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

46. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

47. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

48. Denied.

49. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

50. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

51. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

52. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

53. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

54. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

#### **SUBJECT MATTER JURISDICTION AND VENUE**

55. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and

therefore deny the same.

56. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

57. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

58. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and therefore deny the same.

59. Defendant lacks knowledge or information sufficient to confirm or deny the allegations and t therefore deny the same.

#### **PERSONAL JURISDICTION**

60. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

61. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

#### **FACTUAL ALLEGATIONS**

62. Defendant denies any implication that Defendant was engaged in a racketeering or kickback scheme. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 62 of the Complaint and therefore deny the same.

#### **I. A CONFIDENTIAL INFORMANT REPORTED DEFENDANTS' FRAUDULENT SCHEME TO AMAZON**

63. Admitted

64. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

65. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

66. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

67. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

68. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

69. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

70. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

71. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

72. Defendant lacks knowledge or information sufficient to confirm or deny allegations and therefore deny the same.

## **II. NELSON AND KIRSCHNER WERE TRUSTED TO PLAY CRUCIAL ROLES WITH RESPECT TO AMAZON'S REAL ESTATE INVESTMENTS**

73. Denied.

74. Denied.

75. Denied.

76. Denied.



77. Admitted.

78. Admitted.

79. Admitted.

80. Admitted.

81. Admitted.

82. Admitted.

83. Admitted.

84. Admitted.

85. Denied.

86. Denied

**III. NELSON AND KIRSCHNER EXPLOITED THEIR ROLES TO CREATE A  
PAY-TO-PLAY SCHEME WITH THEIR FRIEND WATSON**

87. Denied.

88. Denied.

89. Denied.

90. Denied.

91. Denied.

**IV. THE FRAUDULENT LEASE TRANSACTIONS**

92. Defendant lacks knowledge or information sufficient to confirm or deny allegations and

therefore deny the same

93. Denied

94. Denied

95. Denied

96. Denied

97. Denied.

98. Denied.

99. Denied.

100. Defendant admits to attending two business development trips with Northstar.

Defendant admits attending Brian Watson's wedding.

101. Denied

102. Defendant denies any allegations to the extent Plaintiffs imply Defendants were involved in a racketeering or kickback scheme.

103. Defendant denies any allegations to the extent Plaintiffs imply Defendants engaged in a racketeering or kickback scheme.

104. Defendant denies any allegations to the extent Plaintiffs imply Defendants engaged in a racketeering or kickback scheme.

105. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme.

106. Denied.

107. Denied

108. Denied.

109. Denied.

110. Denied.

111. Denied.

112. Denied

113. Denied

114. Denied

115. Denied

116. Denied

117. Denied

118. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in paragraph 118 therefore deny the same.

119. Denied

120. Denied

121. Denied

122. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 122 of the Complaint and therefore deny the same.

123. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 123 of the Complaint and therefore deny the same.

124. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 124 of the Complaint and therefore deny the same.

125. Defendant denies any allegations to the extent Plaintiffs imply Defendants engaged in a racketeering or kickback scheme.

126. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 126 of the Complaint and therefore deny the same.

127. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant denies the allegations in Paragraph 127.

128. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 128 of the Complaint and therefore deny the same.

129. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 129 of the Complaint and therefore deny the same.

130. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 130 of the Complaint and therefore deny the same.

131. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 131 of the Complaint and therefore deny the same.

132. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 132 of the Complaint and therefore deny the same.

133. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 133 of the Complaint and therefore deny the same.

134. Denied

135. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 135 of the Complaint and therefore deny the same.

136. Denied.

137. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 137 of the Complaint and therefore deny the same.

138. Denied

139. Denied

140. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 140 of the Complaint and therefore deny the same.

141. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 141 of the Complaint and therefore deny the same.

142. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 142 of the Complaint and therefore deny the same.

143. Denied

144. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 144 of the Complaint and therefore deny the same.

145. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 145 of the Complaint and therefore deny the same.

146. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 146 of the Complaint and therefore deny the same.

147. Defendant admits only that the document speaks for itself. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 147 of the Complaint and therefore deny the same.

148. Defendant admits only that the any documents and filings speak for themselves. Defendant denies any allegations to the extent Plaintiff simply Defendants engaged in a racketeering or kickback scheme. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 148 of the Complaint and therefore deny the same.

149. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 149 of the Complaint and therefore deny the same.

150. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 150 of the Complaint and therefore deny the same.

151. Denied.

152. Denied.

153. Denied.

154. Denied.

155. Denied.

156. Denied.

157. Denied.

158. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 158 of the Complaint and therefore deny the same.

159. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 159 of the Complaint and therefore deny the same.

160. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 160 of the Complaint and therefore deny the same.

161. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 161 of the Complaint and therefore deny the same.

162. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 162 of the Complaint and therefore deny the same.

163. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 163 of the Complaint and therefore deny the same.

164. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 164 of the Complaint and therefore deny the same.

165. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 165 of the Complaint and therefore deny the same.

166. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 166 of the Complaint and therefore deny the same.

167. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 167 of the Complaint and therefore deny the same.

168. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 168 of the Complaint and therefore deny the same.

169. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 169 of the Complaint and therefore deny the same.

170. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 170 of the Complaint and therefore deny the same.

171. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 171 of the Complaint and therefore deny the same.

172. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 172 of the Complaint and therefore deny the same.

173. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 173 of the Complaint and therefore deny the same.

174. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 174 of the Complaint and therefore deny the same.

175. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 175 of the Complaint and therefore deny the same.

176. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 176 of the Complaint and therefore deny the same.

177. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant denies the remaining allegations in Paragraph 177 of the Complaint.

178. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant denies the remaining allegations in Paragraph 178 of the Complaint.



179. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant denies the remaining allegations in Paragraph 179 of the Complaint.

180. Denied.

181. Denied.

182. Denied.

183. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 183 of the Complaint and therefore deny the same.

184. Denied

185. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 185 of the Complaint and therefore deny the same.

186. Denied.

187. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 187 of the Complaint and therefore deny the same.

188. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 188 of the Complaint and therefore deny the same.

189. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 189 of the Complaint and therefore deny the same.

190. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 190 of the Complaint and therefore deny the same.

191. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 191 of the Complaint and therefore deny the same.

192. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 192 of the Complaint and therefore deny the same.

193. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 193 of the Complaint and therefore deny the same.

194. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 124 of the Complaint and therefore deny the same.

195. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 124 of the Complaint and therefore deny the same.

196. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 196 of the Complaint and therefore deny the same.

197. Denied.

198. Denied.

199. Denied

200. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 200 of the Complaint and therefore deny the same.

201. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 201 of the Complaint and therefore deny the same.

202. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 202 of the Complaint and therefore deny the same.

203. Admitted.

204. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 204 of the Complaint and therefore deny the same.

205. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 205 of the Complaint and therefore deny the same.

206. Denied

207. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 207 of the Complaint and therefore deny the same.

208. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant denies the remaining allegations in Paragraph 208.

209. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant denies the remaining allegations in Paragraph 209.

210. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 210 of the Complaint and therefore deny the same.

211. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 211 of the Complaint and therefore deny the same.

212. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 212 of the Complaint and therefore deny the same.

213. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 213 of the Complaint and therefore deny the same.

214. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 214 of the Complaint and therefore deny the same.

215. Denied.

216. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 216 of the Complaint and therefore deny the same.

217. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 217 of the Complaint and therefore deny the same.

## **V. THE FRAUDULENT DIRECT PURCHASES**

218. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 218 of the Complaint and therefore deny the same.

219. Denied

220. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 220 of the Complaint and therefore deny the same.

221. Denied.

222. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 222 of the Complaint and therefore deny the same.

224. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 224 of the Complaint and therefore deny the same.

225. Denied.

226. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 226 of the Complaint and therefore deny the same.

227. Denied.

228. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 228 of the Complaint and therefore deny the same.

229. Denied.

230. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 230 of the Complaint and therefore deny the same.

231. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 231 of the Complaint and therefore deny the same.

232. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 232 of the Complaint and therefore deny the same.

233. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in 233 of the Complaint and therefore deny the same.

234. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 234 of the Complaint and therefore deny the same.

235. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 217 of the Complaint and therefore deny the same.

236. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 236 of the Complaint and therefore deny the same.

237. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 237 of the Complaint and therefore deny the same.

238. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 238 of the Complaint and therefore deny the same.

239. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 239 of the Complaint and therefore deny the same.

240. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 240 of the Complaint and therefore deny the same.

241. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 241 of the Complaint and therefore deny the same.

242. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 242 of the Complaint and therefore deny the same.

243. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 243 of the Complaint and therefore deny the same.

244. Denied.

245. Admitted.

246. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 246 of the Complaint and therefore deny the same.

247. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 247 of the Complaint and therefore deny the same.

248. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 248 of the Complaint and therefore deny the same.

249. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 249 of the Complaint and therefore deny the same.

250. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 250 of the Complaint and therefore deny the same.

251. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 251 of the Complaint and therefore deny the same.

252. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 252 of the Complaint and therefore deny the same.

253. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 253 of the Complaint and therefore deny the same.

254. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 254 of the Complaint and therefore deny the same.

255. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 255 of the Complaint and therefore deny the same.

256. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant denies the remaining allegations in Paragraph 256 of the Complaint.

257. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 257 of the Complaint and therefore deny the same.

258. Admitted

259. Admitted

260. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 260 of the Complaint and therefore deny the same.

261. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 261 of the Complaint and therefore deny the same.

262. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 262 of the Complaint and therefore deny the same.

263. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 263 of the Complaint and therefore deny the same.

264. Denied.

265. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 265 of the Complaint and therefore deny the same.

266. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 266 of the Complaint and therefore deny the same.

267. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 267 of the Complaint and therefore deny the same.

268. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 268 of the Complaint and therefore deny the same.

269. Defendant admits that the wire receipt speaks for itself. Defendant denies the remaining allegations in Paragraph 269 of the Complaint.

270. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 270 of the Complaint and therefore deny the same.



271. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 271 of the Complaint and therefore deny the same.

272. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 272 of the Complaint and therefore deny the same.

273. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 273 of the Complaint and therefore deny the same.

274. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 274 of the Complaint and therefore deny the same.

275. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 275 of the Complaint and therefore deny the same.

276. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 276 of the Complaint and therefore deny the same.

277. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 277 of the Complaint and therefore deny the same.

278. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 278 of the Complaint and therefore deny the same.

279. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 279 of the Complaint and therefore deny the same.

280. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 280 of the Complaint and therefore deny the same.

281. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 281 of the Complaint and therefore deny the same.

282. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 282 of the Complaint and therefore deny the same.

283. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 283 of the Complaint and therefore deny the same.

284. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 284 of the Complaint and therefore deny the same.

285. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 285 of the Complaint and therefore deny the same.

286. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 284 of the Complaint and therefore deny the same.

**VI. DEFENDANTS USED A COMPLEX WEB OF TRUSTS AND LLCs TO CONCEAL THEIR ILLICIT GAINS AND AVOID PAYMENT OF TAXES**

287. Denied.

288. Denied.

289. Denied.

290. Denied.

291. Denied.

292. Denied.

293. Denied.

294. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 294 of the Complaint and therefore deny the same.

295. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 295 of the Complaint and therefore deny the same.

296. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 296 of the Complaint and therefore deny the same.

297. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 297 of the Complaint and therefore deny the same.

298. Denied.

299. Denied.

300. Denied.

301. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 301 of the Complaint and therefore deny the same.

302. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 302 of the Complaint and therefore deny the same.

303. Defendant admits only that any such communication speaks for itself. Defendant denies any remaining allegations in Paragraph 303 of the Complaint.

304. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 304 of the Complaint and therefore deny the same.

305. Denied.

306. Denied

307. Denied.

308. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 308 of the Complaint and therefore deny the same.

**E. The Flow of Illicit Funds to Defendants**

309. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 309 of the Complaint and therefore deny the same.

310. Denied.

311. Denied

312. Denied

313. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 313 of the Complaint and therefore deny the same.

314. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 314 of the Complaint and therefore deny the same.

315. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 315 of the Complaint and therefore deny the same.

316. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 316 of the Complaint and therefore deny the same.

**VII. NELSON AND KIRSCHNER INTENDED TO CONTINUE THEIR PAY-TO-PLAY SCHEME AFTER DEPARTING FROM AMAZON**

317. Denied

318. Denied

319. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 319 of the Complaint and therefore deny the same.

320. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 320 of the Complaint and therefore deny the same.

321. Admitted.

322. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 322 of the Complaint and therefore deny the same.

323. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 323 of the Complaint and therefore deny the same.

#### **VIII. NELSON'S AND KIRSCHNER'S CONDUCT VIOLATED THEIR DUTIES TO AMAZON**

324. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 324 of the Complaint and therefore deny the same.

325. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 325 of the Complaint and therefore deny the same.

326. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 326 of the Complaint and therefore deny the same.

327. Defendant admits only that the agreement referenced in Paragraph 327 speaks for itself. Defendant denies any remaining allegations in Paragraph 327 of the Complaint.

328. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 328 of the Complaint and therefore deny the same.

329. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 329 of the Complaint and therefore deny the same.

330. Denied.

331. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 331 of the Complaint and therefore deny the same.

332. Admitted

333. Admits the agreement speaks for itself.

334. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 334 of the Complaint and therefore deny the same.

335. Defendant admits only that the agreement speaks for itself. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 335 of the Complaint and therefore deny the same.

336. Defendant admits only that the agreement speaks for itself.

337. Defendant admits only that the agreement speaks for itself.

338. Defendant admits only that the agreements speak for themselves. Defendant denies the remaining allegations in paragraph 338.

339. Defendant admits only that the agreements speak for themselves. Denies all remaining allegations in paragraph 339.

340. Defendant admits only that the contracts speak for themselves.

341. Defendant admits only that the contracts speak for themselves.

342. Defendant admits only that the contracts speak for themselves.

343. Denied

344. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 344 of the Complaint and therefore deny the same.

345. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 345 of the Complaint and therefore deny the same.

346. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 346 of the Complaint and therefore deny the same.

347. Denied.

348. Denied

349. Denied

350. Denied

#### **IX. THE DEFENDANTS' EFFORTS TO CONCEAL THEIR ILLICIT SCHEME**

351. Denied

352. Denied

353. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 353 of the Complaint and therefore deny the same.

354. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 354 of the Complaint and therefore deny the same.

355. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 355 of the Complaint and therefore deny the same.

356. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 356 of the Complaint and therefore deny the same.

357. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 357 of the Complaint and therefore deny the same.

358. Defendant admits only that any documents Plaintiffs received speak for themselves. Defendant denies any allegations to the extent Plaintiffs imply Defendants were involved in a racketeering or kickback scheme. Defendant denies the remaining allegations in Paragraph 358 of the Complaint.

359. Defendant admits only that the documents and record before this Court speak for themselves. Defendants deny any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant denies the remaining allegations in Paragraph 359 of the Complaint.

360. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant denies the remaining allegations in Paragraph 360 of the Complaint.

361. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 361 of the Complaint and therefore deny the same.

362. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 362 of the Complaint and therefore deny the same.

363. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 363 of the Complaint and therefore deny the same.

364. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 364 of the Complaint and therefore deny the same.

365. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 365 of the Complaint and therefore deny the same.

366. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in



Paragraph 366 of the Complaint and therefore deny the same.

367. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 367 of the Complaint and therefore deny the same.

368. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 368 of the Complaint and therefore deny the same.

369. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 369 of the Complaint and therefore deny the same.

370. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 370 of the Complaint and therefore deny the same.

371. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 371 of the Complaint and therefore deny the same.

372. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 372 of the Complaint and therefore deny the same.

373. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 373 of the Complaint and therefore deny the same.

374. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 374 of the Complaint and therefore deny the same.

375. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 375 of the Complaint and therefore deny the same.

**COUNT I  
RICO Enterprise**

**In Violation of RICO 18 U.S.C. §§ 1962(a), (b), (c), (d)**

376. Defendant incorporates their answers to the allegations as set forth in Paragraphs 1-375 as though fully set forth herein.

377. To the extent a response is required, Defendant denies all allegations contained in Paragraph 377 of the Complaint.

378. Admitted.

379. Denied.

380. Denied.

381. Denied.

382. Denied.

383. Denied.

384. Denied.

385. Denied.

386. Denied.

387. Denied.

388. Denied

**Pattern of Racketeering Activity  
Multiple Instances of Wire Fraud in Violation of 18 U.S.C. § 1343**

389. Denied.

390. Denied.

391. Defendant admits only that the statute speaks for itself. Defendant denies the remaining allegations in Paragraph 391 of the Complaint.

392. Denied.

393. Denied.

394. Denied.

395. Denied.

**Pattern of Racketeering Activity  
Honest Services Fraud in Violation of 18 U.S.C. § 1346**

396. Denied.

397. Defendant admits only that the statute speaks for itself. Defendant denies the remaining allegations in Paragraph 397 of the Complaint.

398. Defendant admits only that the statute speaks for itself. Defendant denies the remaining allegations in Paragraph 398 of the Complaint.

399. Defendant admits only that the statute speaks for itself. Defendant denies the remaining allegations in Paragraph 399 of the Complaint.

400. Denied.

401. Denied.

402. Denied.

403. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant lacks knowledge or

information sufficient to confirm or deny the remaining allegations in Paragraph 403 of the Complaint and therefore deny the same.

404. Denied

405. Denied.

406. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant lacks knowledge or information sufficient to confirm or deny the remaining allegations in Paragraph 406 of the Complaint and therefore deny the same.

407. Denied.

408. Denied.

**Pattern of Racketeering Activity  
Money Laundering in Violation of 18 U.S.C. § 1956**

409. Defendant admits only that the statute speaks for itself. Defendant denies the remaining allegations in Paragraph 409 of the Complaint.

410. Defendant admits only that the statute speaks for itself. Defendant denies the remaining allegations in Paragraph 410 of the Complaint.

411. Defendant admits only that the statute speaks for itself. Defendant denies the remaining allegations in Paragraph 411 of the Complaint.

412. Defendant admits only that the statute speaks for itself. Defendants denies the remaining allegations in Paragraph 412 of the Complaint.

413. Denied.

414. Denied.

415. Defendant lacks knowledge or information sufficient to confirm or deny Plaintiffs' allegations concerning the direct purchase transactions and therefore deny the same. Defendant denies the remaining allegations in Paragraph 415 of the Complaint.

416. Defendant lacks knowledge or information sufficient to confirm or deny therefore deny the allegations in paragraph 416.

417. Denied.

**Pattern of Racketeering Activity: Engaging in Monetary Transactions in  
Property Derived from Specified Unlawful Activity in Violation of 18  
U.S.C. § 1957**

418. Defendant admits only that the statute speaks for itself. Defendant denies the remaining allegations in Paragraph 401 of the Complaint.

419. Defendant admits only that the statute speaks for itself. Defendant denies the remaining allegations in Paragraph 402 of the Complaint.

420. Defendant admits only that the statute speaks for itself. Defendant denies the remaining allegations in Paragraph 403 of the Complaint.

421. Denied.

422. Denied.

423. Denied.

424. Denied.

425. Defendant admits only that records of such payments speak for themselves. Defendant denies the remaining allegations in Paragraph 425 of the Complaint.

426. Defendant lacks knowledge or information sufficient to confirm or deny the allegations in Paragraph 426 of the Complaint and therefore deny the same.

427. Denied.

**Pattern of Racketeering Activity:  
Violation of the Travel Act, 18 U.S.C. § 1952**

428. Defendant admits only that the statute speaks for itself. Defendant denies the remaining allegations in Paragraph 411 of the Complaint.

429. Defendant admits only that the statute speaks for itself. Defendant denies the remaining allegations in Paragraph 412 of the Complaint.

430. Defendant admits only that the statute speaks for itself. Defendant denies the remaining allegations in Paragraph 413 of the Complaint.

431. Denied.

432. Denied.

**Predicate Acts of Racketeering Activity Amount to a Pattern of Racketeering  
Activity under 18 U.S.C. § 1961(5)**

433. Denied.

434. Denied.

435. Denied.

436. Denied.

437. Denied.

438. Defendant lacks knowledge or information sufficient to confirm or deny therefore deny the allegations in paragraph 438.

439. Denied.

440. Denied.

441. Defendant lacks knowledge or information sufficient to confirm or deny therefore denies the allegations in Paragraph 441.

442. Denied.

443. Denied.

444. Denied.

445. Denied.

446. Denied.

447. Denied.

448. Defendant admits only that the statute speaks for itself. Defendant denies the remaining allegations in Paragraph 448 of the Complaint.

449. Defendant admits only that the statute speaks for itself. Defendant denies the remaining allegations in Paragraph 449 of the Complaint.

450. Denied.

451. Denied.

**COUNT II**  
**Detinue Pursuant to Va. Code § 8.01-114**

452. Defendant incorporates their answers to the allegations as set forth in Paragraphs 1-452 as though fully set forth herein.

453. To the extent a response is required, Defendant denies all allegations contained in Paragraph 453 of the Complaint.

454. Defendant admits only that the case law speaks for itself. Defendant denies any remaining allegations in Paragraph 454 of the Complaint.

455. Defendant admits only that the code speaks for itself. Defendant denies any remaining allegations in Paragraph 455 of the Complaint and therefore deny the same.

456. Denied.

457. Defendant admits only that the leases speak for themselves. Defendant denies the remaining allegations in Paragraph 457 of the Complaint.

458. Denied

459. Denied

460. Denied.

461. Denied.

462. Denied

463. Denied.

464. Denied.

465. Denied.

**COUNT III**  
**Fraud**

466. Defendant incorporates their answers to the allegations as set forth in Paragraphs 1-465 as though fully set forth herein.

467. To the extent a response is required, Defendant denies all allegations contained in Paragraph 467 of the Complaint.



468. Defendant admits only that the case law speaks for itself. Defendant denies any remaining allegations in Paragraph 465 of the Complaint.

469. Defendant admits only that the case law speaks for itself. Defendant denies any remaining allegations in Paragraph 466 of the Complaint.

470. Denied.

471. Denied.

472. Denied.

473. Denied.

474. Denied.

475. Denied.

476. Denied.

477. Denied.

478. Denied.

479. Denied.

480. Denied

481. Denied.

482. Denied.

483. Defendant lacks knowledge or information sufficient to confirm or deny therefore deny the allegations in paragraph 483.

484. Defendant lacks knowledge or information sufficient to confirm or deny therefore deny the allegations in paragraph 484.

485. Denied.

486. Denied.

487. Denied.

488. Denied

489. Denied.

490. Denied.

491. Denied.

492. Denied.

493. Denied.

494. Denied.

495. Denied.

496. Denied.

497. Denied.

498. Denied.

499. Defendant lacks knowledge or information sufficient to confirm or deny therefore deny the allegations in paragraph 499.

500. Defendant lacks knowledge or information sufficient to confirm or deny therefore deny the allegations in paragraph 500.

501. Denied.

**COUNT IV**

**Tortious Interference with Contractual and/or Business Relations**

502. Defendant incorporates their answers to the allegations as set forth in Paragraphs 1-501 as though fully set forth herein.

503. To the extent a response is required, Defendant denies all allegations contained in Paragraph 503 of the Complaint.

504. Defendant admits only that the case law speaks for itself. Defendant denies the remaining allegations in Paragraph 504 of the Complaint.

505. Denied

506. Denied

507. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme. Defendant admits only that they were aware of the lease contracts between Amazon and the landlords.

508. Defendant lacks knowledge or information sufficient to confirm or deny therefore deny the allegations in paragraph 508.

509. Denied.

510. Denied

**COUNT V**

**Civil Conspiracy**

511. Defendant incorporates their answers to the allegations as set forth in Paragraphs 1-510 as though fully set forth herein.

512. To the extent a response is required, Defendant denies all allegations contained in Paragraph 485 of the Complaint.

513. Defendant admits only that the case law speaks for itself. Defendant denies the remaining allegations in Paragraph 486 of the Complaint and therefore deny the same.

514. Denied.

515. Denied

516. Denied

517. Denied

518. Defendant lacks knowledge or information sufficient to confirm or deny therefore deny the allegations in paragraph 518.

519. Defendant lacks knowledge or information sufficient to confirm or deny therefore deny the allegations in paragraph 519.

**COUNT VI**  
**Breach of Contract**

520. Defendant incorporates their answers to the allegations as set forth in Paragraphs 1-519 as though fully set forth herein.

521. To the extent a response is required, Defendant denies all allegations contained in Paragraph 521 of the Complaint.

522. Defendant admits only that the case law speaks for itself. Defendant denies the remaining allegations in Paragraph 522 of the Complaint.

523. Defendant admits only that the case law speaks for itself. Defendant denies the remaining allegations in Paragraph 523 of the Complaint.

524. Defendant admits only that the documents speak for themselves. Defendant denies the remaining allegations in Paragraph 524 of the Complaint.

525. Defendant admits only that the documents speak for themselves. Defendant denies the remaining allegations in Paragraph 525 of the Complaint.

526. Defendant admits only that the lease agreements speak for themselves. Defendant denies the remaining allegations in Paragraph 526 of the Complaint.

527. Denied.

528. Denied.

529. Denied.

**COUNT VII**  
**Unjust Enrichment and Constructive Trust**

530. Defendant incorporates their answers to the allegations as set forth in Paragraphs 1-529 as though fully set forth herein.

531. To the extent a response is required, Defendant denies all allegations contained in Paragraph 531 of the Complaint.

532. Defendant admits only that the case law speaks for itself. Defendant denies the remaining allegations in Paragraph 532 of the Complaint.

533. Defendant admits only that the case law speaks for itself. Defendant denies the remaining allegations in Paragraph 533 of the Complaint.

534. Denied.

535. Denied.

536. Defendant admits only that the contracts speak for themselves. Defendant denies the remaining allegations in Paragraph 536 of the Complaint.

537. Defendant admits only that the independent contractor agreement between Northstar and Villanova Trust and the wire transfer records speak for themselves. Defendant denies the remaining allegations in Paragraph 513 of the Complaint.

538. Defendant denies any allegations to the extent Plaintiffs imply Defendants were engaged in a racketeering or kickback scheme.

539. Denied.

540. Denied.

541. Denied.

542. Denied

543. Denied.

544. Denied.

545. Denied

546. Denied.

547. Denied

548. Denied.

549. Denied.

550. Denied

551. Denied

**COUNT VIII**  
**Conversion and Constructive Trust**

552. Defendant incorporates their answers to the allegations as set forth in Paragraphs 1-551 as though fully set forth herein.

553. To the extent a response is required, Defendant denies all allegations contained in Paragraph 531 of the Complaint.

554. Defendant admit only that the case law speaks for itself. Defendant denies the remaining allegations in Paragraph 532 of the Complaint.

555. Defendant admits only that the case law speaks for itself. Defendant denies the remaining allegations in Paragraph 533 of the Complaint.

556. Denied.

557. Denied.

558. Denied.

559. Denied.

560. Denied.

561. Denied.

562. Denied.

**PRAYER FOR RELIEF**

Defendant denies Plaintiffs are entitled to damages for any of the claims outlined in the Complaint.

**DEFENDANTS' AFFIRMATIVE DEFENSES**

1. Plaintiffs' claims are barred in whole or in part by the doctrines of release, estoppel, delay, laches and/or waiver.
2. Plaintiffs' claims are barred in whole or in part by assumption.
3. Plaintiffs' claims are barred in whole or in part by failure of consideration.
4. Plaintiffs' claims are barred in whole or in part because Plaintiffs knew of the price differentials concerning the "Direct Purchase Transactions" transactions and thus cannot claim they were misled regarding the same.
5. Plaintiffs' claims are barred in whole or in part by failure to join indispensable or necessary parties.
6. Plaintiffs' claims are barred by the doctrine of ratification.
7. Plaintiffs' claims are barred by the doctrine of unjust enrichment.
8. Plaintiffs' claims are barred in whole or in part due to failure of conditions.
9. Plaintiffs' claims fail in whole or in part by Plaintiffs' failure to state a claim upon which relief may be granted.
10. Plaintiffs' alleged damages were not caused by an alleged act or omission of Defendant.
11. Plaintiffs' claims are barred in whole or in part by the economic loss rule.
12. Defendant reserves their right, with leave court, to amend their Answer and assert any additional defenses, counterclaims, or cross-claims that may become available through the course of discovery or otherwise during the course of litigation.



**JURY DEMAND**

Defendant demands a jury trial on all issues so triable.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Casey Kirschner', is written over a horizontal line.

Casey Kirschner  
635 Alvarado Ln N  
Plymouth, MN 55447

Dated this 6th day of June, 2022.

**CERTIFICATE OF SERVICE**

I certify that on February 24, 2021, I will send a copy of the DEFENDANT CASEY KIRSCHNER'S ANSWER AND AFFIRMATIVE DEFENSES TO PLAINTIFFS' VERIFIED SECOND AMENDED COMPLAINT to be served on the following person via first class mail or email to:

Travis Stuart Andrews  
Luke Michael Sullivan  
Elizabeth Papez  
Patrick F. Stokes  
Claudia M. Barrett  
**Gibson Dunn & Crutcher LLP**  
[tandrews@gibsondunn.com](mailto:tandrews@gibsondunn.com)  
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Respectfully submitted,



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Casey Kirschner  
635 Alvarado Ln N  
Plymouth MN 55447  
[Casey.kirschner@gmail.com](mailto:Casey.kirschner@gmail.com)

Dated this 6th day of June, 2022.